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S&H Form: (2/01)  
DOCKET NO. 1046.1245

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Eiichi TAKAHASHI, et al.

Serial No: 09/800,488

Group Art Unit: 2152

Confirmation No. 2200

Filed: March 8, 2001

Examiner: Unassigned

For: NETWORK SERVER LOAD DETECTION SYSTEM, SHARING SYSTEM AND  
METHOD

**RECEIVED**  
JUN 06 2001  
Technology Center 2100

**REQUEST FOR CORRECTED FILING RECEIPT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

It is requested that the Foreign Application information on the Official Filing Receipt be corrected. The correct Foreign Application information is -- JAPAN 10-254318, **September 8, 1998**--, as is evidenced by the Declaration, attached to the application as filed. For the convenience of the Patent and Trademark Office, attached is a photocopy of the original receipt on which the errors have been noted in red.

It is requested that a corrected Official Filing Receipt be issued in this application.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 5/21/01

By: [Signature]

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/800,488	03/08/2001	2152	790	1046.1245	13	13	4

CONFIRMATION NO. 2200

21171  
STAAS & HALSEY LLP  
700 11TH STREET, NW  
SUITE 500  
WASHINGTON, DC 20001

## FILING RECEIPT



\*OC000000005951006\*

Date Mailed: 04/09/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Eiichi Takahashi, Kawasaki, JAPAN;  
Takeshi Aoki, Tama, JAPAN;  
Ken Yokoyama, Kawasaki, JAPAN;  
Shinji Kikuchi, Kawasaki, JAPAN;

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## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF PCT/JP99/03692 07/08/1999

## Foreign Applications

September 8, 1998  
JAPAN 10-254318 08/09/1998

If Required, Foreign Filing License Granted 04/09/2001

Projected Publication Date: 07/19/2001

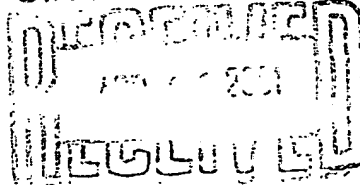
Non-Publication Request: No

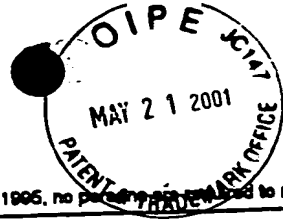
Early Publication Request: No

## Title

Network server load detection system, sharing system and method

STAAS AND HALSEY





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## Declaration and Power of Attorney For Patent Application

### 特許出願宣言書及び委任状

### Japanese Language Declaration

### 日本語宣言書

下の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NETWORK SERVER LOAD DETECTION SYSTEM,  
SHARING SYSTEM AND METHOD

上記発明の明細書（下記の欄でx印がついていない場合は、本書に添付）は、

the specification of which is attached hereto unless the following box is checked:

☐ 月 日に提出され、米国出願番号または特許協定条約国際出願番号を \_\_\_\_\_ とし、  
(該当する場合) \_\_\_\_\_ に訂正されました。

☐ was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定藏されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Page 1 of 1

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## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基づき下記の、米国外の国の少なくとも一か国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

### Prior Foreign Application(s)

外国での先行出願  
10-254318

(Number)  
(番号)

Japan

(Country)  
(国名)

(Number)  
(番号)

(Country)  
(国名)

私は、第35編米国法典119条(e)項に基づいて下記の米国外の特許出願規定に記載された権利をここに主張いたします。

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は、下記の米国法典第35編120条に基づいて下記の米国外の特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づき権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国外の特許出願に開示されていない限り、その先行米国外出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入子された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

PCT/JP 99/03692

(Application No.)  
(出願番号)

July 8, 1999

(Filing Date)  
(出願日)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じることに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

### Priority Not Claimed

優先権主張なし

08/09/1998

(Day/Month/Year Filed)  
(出願年月日)

(Day/Month/Year Filed)  
(出願年月日)

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.86 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Status: Patented, Pending, Abandoned)  
(現況: 特許許可済、係属中、放棄済)

(Status: Patented, Pending, Abandoned)  
(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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委任状: 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。(弁理士、または代理人の氏名及び登録番号を明記のこと)

James D. Halsey, Jr., 22,729; Harry John Staas, 22,010; David M. Pitcher, 25,908; John C. Garvey, 28,607; J. Randall Beckers, 30,358; William F. Herbert, 31,024; Richard A. Gollhofer, 31,106; Mark J. Henry, 36,162; Gene M. Garner II, 34,172; Michael D. Stein, 37,240; Paul I. Kravetz, 35,230; Gerald P. Joyce, III, 37,648; Todd E. Marlette, 35,269; Harlan B. Williams, Jr., 34,756; George N. Stevens, 36,938; Michael C. Soldner, 41,455; Norman L. Ourada, 41,235; Kevin R. Spivak, P-43,148; and William M. Schentler, 35,348 (agent)

書類送付先

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

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Washington, D.C. 20001

直接電話連絡先: (名前及び電話番号)

Direct Telephone Calls to: (name and telephone number)

STAAS & HALSEY  
(202) 434-1500

唯一または第一発明者名	Full name of sole or first inventor	Eiichi Takahashi
発明者の署名	Inventor's signature	Eiichi Takahashi
日付	Date	February 26, 2001
住所	Residence	Kawasaki, Japan
国籍	Citizenship	Japanese
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第二共同発明者	Second inventor's signature	Takeshi Aoki
日付	Date	February 23, 2001
住所	Residence	Tama, Japan
国籍	Citizenship	Japanese
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	Yes	YOKOYAMA

(第三以降の共同発明者についても同様に記載し、署名をする)

(Supply similar information and signature for third and subsequent joint inventors.)

第三共同発明者	Full name of third joint inventor, if any Ken YOKOYAMA
第三共同発明者 日付	Third inventor's signature Date <i>Ken Yokoyama</i> February 26, 2001
住 所	Residence Kawasaki, Japan
国 籍	Citizenship Japanese
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第四共同発明者	Full name of fourth joint inventor, if any Shinji KIKUCHI
第四共同発明者 日付	Fourth inventor's signature Date <i>Shinji Kikuchi</i> February 26, 2001
住 所	Residence Kawasaki, Japan
国 籍	Citizenship Japanese
私書箱	Post Office Address c/o FUJITSU LIMITED, 1-1, Kamikodanaka 4-chome, Nakahara-ku, Kawasaki-shi, Kanagawa 211-8588 Japan

第五共同発明者	Full name of fifth joint inventor, if any
第五共同発明者 日付	Fifth inventor's signature Date
住 所	Residence
国 籍	Citizenship
私書箱	Post Office Address
第六共同発明者	Full name of sixth joint inventor, if any
第六共同発明者 日付	Sixth inventor's signature Date
住 所	Residence
国 籍	Citizenship
私書箱	Post Office Address

(第七以降の共同発明者についても同様に  
記載し、署名をすること)

(Supply similar information and signature for  
seventh and subsequent joint inventors.)

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Bib Data Sheet

CONFIRMATION NO. 2200

<b>SERIAL NUMBER</b> 09/800,488	<b>FILING DATE</b> 03/08/2001 <b>RULE</b>	<b>CLASS</b> 709	<b>GROUP ART UNIT</b> 2152	<b>ATTORNEY DOCKET NO.</b> 1046.1245
<b>APPLICANTS</b> Eiichi Takahashi, Kawasaki, JAPAN; Takeshi Aoki, Tama, JAPAN; Ken Yokoyama, Kawasaki, JAPAN; Shinji Kikuchi, Kawasaki, JAPAN;				
<b>** CONTINUING DATA *****</b> THIS APPLICATION IS A CON OF PCT/JP99/03692 07/08/1999				
<b>** FOREIGN APPLICATIONS *****</b> JAPAN 10-254318 08/08/1998				
<b>IF REQUIRED, FOREIGN FILING LICENSE GRANTED</b> <b>** 04/09/2001</b>				
Foreign Priority claimed <input checked="" type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions met <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance Verified and Acknowledged <u>Shalima Danks</u> Examiner's Signature Initials		<b>STATE OR COUNTRY</b> JAPAN	<b>SHEETS DRAWING</b> 13	<b>TOTAL CLAIMS</b> 13
				<b>INDEPENDENT CLAIMS</b> 4
<b>ADDRESS</b> 21171				
<b>TITLE</b> Network server load detection system, sharing system and method				
<b>FILING FEE RECEIVED</b> 790	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	